



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007*

June 29, 2023

BY ECF AND EMAIL

The Honorable Richard M. Berman
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Stephen Buyer, 22 Cr. 397 (RMB)*

Dear Judge Berman:

The Government respectfully submits this letter in response to the Court's order directing it to advise the Court of its position with respect to forfeiture and restitution. (Dkt. 132).

With respect to forfeiture, the Government requests the Court order the defendant to forfeit \$349,846.61, which represents the total ill-gotten gains from the defendant's insider trading scheme. *See PSR ¶ 39; United States v. Contorinis*, 692 F.3d 136, 147 (2d Cir. 2012) (affirming forfeiture of crime proceeds under the defendant's control).

With respect to restitution, the Government has conferred with counsel for the two victims of the defendant's misappropriation and understands both victims intend to seek restitution in this case for costs incurred in assisting in the criminal investigation and prosecution of the defendant. While the Government is still gathering supporting materials from the victims, the Government understands Guidehouse seeks \$261,667.42 in restitution, and T-Mobile Corporation seeks approximately \$1.1 million in restitution. The Government expects to receive additional supporting materials next week and is hopeful it will be in a position to update the Court and propose a schedule for resolving restitution at the scheduled sentencing on July 11, 2023. *See 18 U.S.C. § 3664(d)(5)* (permitting the Court to resolve restitution within 90 days following sentencing); *see also Dolan v. United States*, 560 U.S. 605, 611 (2010).

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The Government remains available to address any additional questions the Court may have.

Respectfully submitted,

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United States Attorney

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cc: Counsel for Stephen Buyer (by ECF and email)